

**CHIROPRACTIC EXAMINING BOARD  
REGULAR MEETING  
MAY 23, 2002**

**MEMBERS PRESENT:** Susan Feith, Char Glocke, James Greenwald, DC, James Rosemeyer, DC, Bevier Hasbrouck Sleight, III, DC, Dale Strama, DC

**STAFF PRESENT:** Kimberly Nania, Bureau Director, John Schweitzer, Legal Counsel, Karen Rude-Evans, Program Assistant

**GUESTS:** James Weber, DC (newly appointed Board member, but not yet confirmed); Dyana Tillinger, WCA; Bill Boissonault, WPTA; Rocco Perugini; David L Hagen

**CALL TO ORDER**

Chair Dale Strama called the meeting to order at 8:04 a.m.

**APPROVAL OF AGENDA**

Amendments: -Proposed Stipulation in the matter concerning Shawn M. Giese, DC  
-Discussion of New Jersey law  
-Closed Session: Review applications of Vincent E. Seiler, Steven T. Wilke and Steven C. Spaniol

**MOTION:** Bevier Sleight moved, seconded by Susan Feith, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF APRIL 18, 2002**

**MOTION:** Bevier Sleight moved, seconded by Char Glocke, to approve the Minutes of April 18, 2002 as written. Motion carried unanimously.

**SECRETARY HERRERA**

Secretary Herrera spoke of the newsletter *Open Session* that was recently mailed to all Board members. A Board member survey was included with the newsletter, and Secretary Herrera encouraged the members to return the survey as soon as possible. A workshop for Board member is scheduled for June 25, 2002.

**KATHARINE HILDEBRAND**

Kimberly Nania introduced Katharine Hildebrand to the Board. Ms. Hildebrand coordinated the quarterly newsletter *Open Session*. She is also coordinating the upcoming Board member workshop on June 25, and encouraged all members to attend. A reception at the Governor's Mansion will follow the workshop. Ms. Hildebrand is redesigning the format of the *Regulatory Digest* to make it more user friendly.

## **PRESENTATION OF PROPOSED STIPULATIONS**

### **JEROME A FAGERSTROM, DC**

DOE attorney Mike Berndt presented a proposed stipulation in the matter concerning Jerome A. Fagerstrom, DC. This matter will be deliberated on in closed session.

### **SHAWN M GIESE, DC**

John Schweitzer presented a proposed stipulation in the matter concerning Shawn M. Giese, DC. This matter will be deliberated on in closed session.

## **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES**

These reports were informational.

## **INITIATE RULE PROCESS TO CLARIFY POSITION ON HOMEOPATHY**

The Board had an initial discussion regarding homeopathy. Kimberly Nania and legal counsel will research homeopathy and how other states regulate this practice, and will bring information back to the next Board meeting.

## **REVIEW LETTER TO BE SENT TO CHIROPRACTIC COLLEGES FOR FEEDBACK REGARDING PHILOSOPHY**

The Board reviewed and made some changes to the draft letter to be sent to chiropractic colleges for feedback regarding philosophy. The revised letter will be mailed to all chiropractic colleges in the United States.

## **PERSONAL APPEARANCE**

### **DAVID L HAGEN, DC**

David L. Hagen, DC, made a personal appearance before the Board to request reinstatement of his license. This matter will be deliberated on in closed session.

## **DISCUSSION OF CE CREDIT FOR INTERNET COURSES AND REVIEW OF CORRESPONDENCE FROM WCA**

The Board wants to move forward with online CE and set up guidelines. Kimberly Nania will research online CE requirements for other professions and will bring this information back to the next Board meeting for discussion.

## **REVIEW OF CORRESPONDENCE FROM WCA REGARDING CE CREDITS FOR PHILOSOPHY SEMINARS**

The Board and legal counsel want to develop clear and comprehensive language regarding philosophy. Further discussion on this issue is postponed until responses are received from the chiropractic colleges.

## **CORRESPONDENCE REGARDING ACCEPTABLE ADVERTISING**

Legal counsel will reply that this advertising is considered marginal.

## **INQUIRY RECEIVED BY LEGAL COUNSEL**

The Board directed legal counsel's response to Jason Abrams of Michael F. Hupy and Associates, S.C.

## **PRECEPTOR APPROVALS**

There were no preceptors to approve this month.

## **DISCUSSIONS WITH DOE ADMINISTRATORS**

Barry Wanner and Mike Berndt met with the Board to address various concerns. The Board members are concerned that in the past there have been stipulations presented in which the case advisor had no input. Case advisors need to be consulted before stipulations are offered to respondents.

Barry Wanner said DOE staff is reviewing all older cases for all the Boards to determine how they can be brought to the appropriate conclusion as soon as possible.

## **RECESS TO CLOSED SESSION**

**MOTION:** James Rosemeyer moved, seconded by Char Glocke, to allow James Weber, DC, to sit in on closed session, however he is not allowed to participate in deliberations or vote. Motion carried unanimously.

**MOTION:** Bevier Sleight moved, seconded by James Rosemeyer, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of deliberation of proposed stipulations, considering a request for reinstatement of unlimited license, reviewing applications, reviewing case status report, discussion of examination issues and consulting with legal counsel. Roll call vote: Susan Feith – yes, Char Glocke – yes, James Greenwald – yes, James Rosemeyer – yes, Bevier Sleight – yes, Dale Strama - yes. Motion carried unanimously.

Open session recessed at 10:51 a.m.

## **RECONVENE IN OPEN SESSION**

**MOTION:** James Rosemeyer moved, seconded by Bevier Sleight, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:37 p.m.

## **VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION**

### **PROPOSED STIPULATIONS**

#### **JEROME A FAGERSTROM, DC**

**MOTION:** James Rosemeyer moved, seconded by Bevier Sleight, to reject the stipulation in the matter concerning Jerome A. Fagerstrom, DC, and return it to DOE for further information. Char Glocke abstained. Motion carried

#### **SHAWN M GIESE, DC**

**MOTION:** Char Glocke moved, seconded by James Greenwald, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Shawn M. Giese, DC, and to issue a license to Dr. Giese. Motion carried unanimously.

## **REQUEST FOR REINSTATEMENT OF UNLIMITED LICENSE**

#### **DAVID L HAGEN, DC**

**MOTION:** Char Glocke moved, seconded by Bevier Sleight, to reinstate the unlimited license of David L. Hagen, DC. Motion carried unanimously.

## **2003 EXAMINATION SCHEDULE**

**MOTION:** Dale Strama moved, seconded by James Greenwald, to schedule the 2003 examinations in February, May and September. Motion carried unanimously.

## **APPLICATION REVIEWS**

#### **STEVEN C SPANIOL, DC**

**MOTION:** Bevier Sleight moved, seconded by James Rosemeyer, to approve the reinstatement application of Steven C. Spaniol, DC, and reinstate his license upon passing the jurisprudence examination. Motion carried unanimously.

### **STEVEN T WILKE, DC**

**MOTION:** James Greenwald moved, seconded by Char Glocke, to approve the endorsement application of Steven T. Wilke, DC, and grant him a license upon passing the jurisprudence examination. Motion carried unanimously.

### **VINCENT E SEILER, DC**

**MOTION:** Char Glocke moved, seconded by Susan Feith, to approve the endorsement application of Vincent E. Seiler, DC, and grant him a license upon passing the jurisprudence examination. Motion carried unanimously.

### **CASE STATUS REPORT**

**MOTION:** Bevier Sleight moved, seconded by Susan Feith, to close complaint **02 CHI 006** for no violation. Case advisor was James Rosemeyer. Motion carried unanimously.

Complaints **00 CHI 042** and **01 CHI 009** were returned to DOE for more information.

### **OTHER BOARD BUSINESS**

The Board briefly reviewed the New Jersey law and definitions.

### **REGULATORY DIGEST**

The Board would like to republish its policies in the next *Regulatory Digest*. Dale Strama will write an article about the recent PT bill and the Board's position on this issue. Legal counsel will review the article prior to its inclusion in the *Regulatory Digest*.

### **FCLB MEETING IN CHICAGO**

Bevier Sleight attended the FCLB meeting in Chicago and gave a brief report. He brought back some printed material that he gave to Kimberly Nania.

### **ADJOURNMENT**

**MOTION:** James Rosemeyer moved, seconded by Char Glocke, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:05 p.m.

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